
PROBATIONARY PERIOD (COMPETITIVE TECHNICIANS)/TRIAL PERIOD (EXCEPTED TECHNICIANS)

FOR THE ADJUTANT GENERAL:

Technician management control process. Management control provisions and key management controls contained in FPM Chapter 315 and TPR 300.

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Proponent. The proponent for this regulation is the Director, Human Resources/J1.

Summary. This regulation contains the regulatory information and guidance on probation/trial periods for competitive and excepted technicians of the Wisconsin National Guard. It is consistent with the requirements of the Office of Personnel Management and Code of Federal Regulations (CFR).

Suggested improvements. Users are invited to send comments and suggested improvements to Joint Force Headquarters, ATTN: WIJS-J1, P.O. Box 8111, Madison, WI 53708-8111.

Applicability. This regulation applies to all Joint Force Headquarters elements, the Wisconsin Army National Guard, and the Wisconsin Air National Guard.

Distribution. This publication is available in electronic media only and is intended for all Joint Force Headquarters elements, the Wisconsin Army National Guard, and the Wisconsin Air National Guard. It is available on the WIJS-J1/Human Resources intranet page.

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Chapter 1

General

1-1. References: 5 Code of Federal Regulation (CFR) Part 315.

1.2. Purpose: The purpose of this regulation is to provide information and guidance to all technicians, especially supervisors, on:

- a. What the probationary/trial period is and its purpose.
- b. Actions to be taken when a technician is to be separated during the probationary/trial period.
- c. The term “Probationary Period” relates to competitive or non-dual status technicians, while the term “Trial Period” relates to excepted or dual status technicians.

Chapter 2

Probation/Trial Period

2-1. Role of the Probationary/Trial Period

- a. The job of staffing, to meet the needs of the technician program with qualified personnel is both difficult and expensive. Only through a constant program of recruitment, selection, training, counseling and evaluation, with prompt separation when warranted, will an effective staff of technicians be available to accomplish our mission.
- b. A vital part of the personnel staffing process is evaluation. Evaluation is never more important than during the probationary/trial period, when it must be decided whether a technician should be retained. If at any time during this period it is decided that the technician will not be able to meet the established standards of performance, the technician should be separated. If it is decided that the individual should be retained as a technician, they should be so recommended.
- c. This regulation is designed to assist supervisors and managers in making more effective use of the probationary/trial period, the final testing device of the examination process.

2-2. The Probationary/Trial Period

- a. The probationary/trial period is the on-the-job review period. It is the final and significant step in the overall evaluation of a technician. During this period the technician’s conduct and actual performance in the duties of their position are observed and evaluated in the job situation.
- b. The probationary/trial period is one full year for excepted technicians, but separation can be effected at any time during the year, as soon as the technician is found to be lacking in skills. All technicians who receive an initial appointment to a position that requires National Guard membership (excepted positions) will serve one, 1 year trial period regardless of any subsequent appointment in the same or different state. Technicians in the competitive service are required to serve a probationary period of 3 continuous years of non-temporary employment in accordance with the provisions of the Code of Federal Regulations - CFR 315.201.
- c. If the technician, although not satisfactory in the position for which selected, shows promise of eventual worth, the supervisor should contact the J1 and see if a more suitable placement can be arranged.

Chapter 3

Selection

3-1. Final Selection Process:

- a. The initial screening of a technician for a position is made on the basis of several examining devices, such as evaluation of experience, interviews, and reference checks. These initial screening processes do not always give the true indication of the technician’s ability to perform the job. Experience has shown that a certain number of job applicants do not have the skills or character traits essential for Government service, although they have already passed the initial screening test. The probationary/trial period is the last and indispensable test for Government employment as well as the final selection process. It is the screening period used to identify those technicians who do not meet adequate performance standards and therefore must be separated before attaining the benefits that accrue upon completion of their probationary/trial period.

b. Supervisors will be furnished a Trial/Probation report, covering the probationary/trial period at the beginning of the ninth month of employment. The supervisor must complete the report no later than the end of the tenth month and return it through supervisory channels to the J1.

3-2. Guidance during the Probationary/Trial Period The technician must be given adequate training and guidance throughout the probationary/trial period. This means that the immediate supervisor must:

- a. Provide an orientation early in employment to assure that the new technician fully understands the responsibilities, rules and policies in effect. Brief the technician on the DMA Form 430 and how it is used to evaluate their performance.
- b. Tell the technician how they fit into the work of the organization.
- c. Instruct the new technician carefully in each of the new work assignments given to them.
- d. Inform the technician of the standards of conduct and performance against which they will be measured.
- e. Insist that the technician meets standards within a reasonable time and that they keep on meeting them.
- f. Help the technician to do so.
- g. Let the technician know how well they are doing.

3-3. Importance of Sound Evaluation

a. It is only by knowing what is expected of them and how well they accomplish their duties that a technician can be expected to reach a satisfactory standard of performance. Such a standard should be based on what can be reasonably achieved by a new technician, not on the performance required of an experienced technician. The new technician should, however, be able to perform within a normal range of confidence before they complete the probationary/trial period. The preparation of written performance requirements, as required by DMA 430-1 is a key document that requires early preparation so that the technician has as clear an understanding as possible of what is required of them in the job so there is no opportunity for misunderstanding.

b. A realistic appraisal by the end of the tenth month requires more than measuring the technician's performance against the standards which have been set in terms of qualities and quantities. It also involves an evaluation of the employee's conduct, attitudes, cooperation, emotional stability, adaptability, initiative, dependability and appearance. As far as possible, the evaluation must be based on adequate written records of the technician's work progress, difficulties encountered, adjustments made, and production achieved. This record is particularly valuable if the new technician's supervisor changes during his or her probationary/trial period. It is essential, not only for the sake of good management, but also for the protection of the merit system and the technician, that supervisors and managers be thorough and impartial in observations of the conduct and performance of the technicians and that these observations are fully documented.

Chapter 4 Separations

4.1. Separation:

a. Each new technician represents a considerable investment of time and money. Therefore, it is important to identify as early as possible the reasons for a technician's failure to measure up to desired standards. Termination action should be initiated whenever the individual's work performance or conduct fails to demonstrate their fitness or qualification for continued Federal employment. Obviously, a decision to terminate should not be made in haste or until the technician has had a full and fair trial period. The length of such a trial period cannot be described in terms of so many days, weeks or months. It is whatever time it takes the supervisor to appraise the technician's performance and conduct carefully and to arrive at a considered judgment whether the technician should be retained or separated.

b. It is a relatively simple process to separate an individual. Separations may be based on deficiency in performance of duties, lack of aptitude or cooperation, or any other characteristics which may make a technician unsuitable for Federal Service. Separation may also be based on some disqualifying pre-employment conduct that was not discovered until after the probationer is on the job. The procedures that have to be followed depend on whether pre-appointment or post-appointment factors are the basis of separation and that they are explained below.

c. When separation action is based entirely on deficiencies and performance or conduct after entrance on duty, the technician is notified in writing (see paragraph above) why they are being terminated and the effective date of the

action. The information in the notice and why the technician is being terminated must, at a minimum, consist of the conclusions on the inadequacies of the technician's performance or conduct and the technician is not given a right of reply. The notice must contain enough factual information about the technician's performance or conduct to make the basis of the action clear.

d. A technician may appeal their termination based on the grounds of discrimination because of race, color, religion, age, sex or national origin.

e. When separation action is based on reasons in whole or in part on the technician's conduct before employment (such as the intentional falsification of application forms or other pre-appointment documents), the technician is entitled to notice in advance, a specific and detailed statement of the reasons, the right to reply, consideration of their reply, a decision, and information on their right to appeal. Supervisors contemplating action under this subparagraph will contact the J1 for guidance on preparation of the notice. The notice must state the reasons with sufficient specificity and detail for the technician to understand them and reply. It must inform the technician that they may reply in writing and submit affidavits in support of their reply. It must identify the person, persons or office to receive the reply and the length of time allowed for their reply. The length of time for a reply will normally be 10 calendar days.

f. A supervisor or manager who finds that they have an unsuitable probationer under their supervision should not be deterred from taking the proper action just because they have been told that it is hard to separate a technician. The supervisor should ask the J1 to assist them in preparing the letter of dismissal. If the technician is not worth keeping, the procedures for separating them from the rolls during the probation are simple and should be used.